

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CALVIN MALONE,

V.

LESLIE SZIEBERT,

Plaintiff,

Defendant.

No. 3:15-CV-05552-RBL-DWC

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation (Dkt. 93) of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendant's Motion for Summary Judgment (Dkt. 85) is granted and Plaintiff's Motion for Summary Judgment (Dkt. 80) is denied. Plaintiff's § 1983 claims are dismissed with prejudice, and Plaintiff's state law claims are dismissed without prejudice.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

DATED this 16th day of March, 2018.

Ronald B. Lightner

Ronald B. Leighton
United States District Judge